

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

THEODUS JORDAN,

Plaintiff

V.

BOSTON PUBLIC SCHOOLS,

Defendant

Civil Action No. 10688-NMG

DEFENDANT’S MOTION FOR SUMMARY JUDGMENT

Defendant, Boston Public Schools (hereinafter “Boston”), moves this Honorable Court to grant summary judgment in Defendant’s favor. As grounds for this Motion, the Defendant states:

1. Summary judgment for the Defendant because the undisputed facts prove as a matter of law that Defendant had cause to terminate the Plaintiff in 2001, did not discriminate against the Plaintiff on the basis of race, age, disability, nor did Defendant retaliate against the Plaintiff.
2. Summary judgment for the Defendant is proper because the undisputed facts prove as a matter of law that Plaintiff was terminated and not hired for administrative positions for a legitimate, non-discriminatory, non-retaliatory reasons, namely that Plaintiff had numerous complaints against him and was not qualified for administrative positions.
3. Defendant’s Memorandum of Law in support of this Motion is submitted herewith and incorporated herein; and

4. Defendant respectfully requests that oral argument be permitted on this Motion as soon as practicable and that oral argument will assist the Court in ruling on the issues raised herein.

WHEREFORE, Defendant respectfully requests that this Honorable Court grant summary judgment in Defendant's favor and dismiss this case with prejudice, and grant such further relief as deemed just and proper.

CERTIFICATE OF SERVICE

I hereby certify that on this day a true copy of the above document was served by mail upon the Plaintiff.

5/21/07 /s/ Andrea Alves Thomas
Date Andrea Alves Thomas

RESPECTFULLY SUBMITTED
DEFENDANT, CITY OF BOSTON

By its attorney:

/s/ Andrea Alves Thomas
Andrea Alves Thomas, BBO# 660050
Assistant Corporation Counsel
Boston Public Schools
26 Court Street, 7th Floor
Boston, MA 02108
(617) 635-9320